

Remarks

Claims 1-16 are currently pending in the application. The Examiner objected to claim 6 and rejected claims 1-5 and 7-16. Applicants appreciate the Examiner's preliminary indication of allowable subject matter with regard to claims 3-6. Applicants hereby amend claims 1-3, 13, 14 and 16 and delete claim 9. Support for the amendments to the claims is found throughout the originally filed claims, figures and specification. For example, support for the suspension of the locating frame from the vehicle or structure is found in the drawings and in the specification as filed, at least at page 7, lines 6 to 13. Furthermore, support for the feature of allowing attachment during translation is found in the specification as filed, at least at page 7, line 23 to page 8, line 4. Applicants submit that no new matter has been added by the amendments.

Objections to the Drawings

The Examiner objected to the drawings under 37 C.F.R. §1.83(a) as not showing every feature of the invention specified in the claims. Specifically, the Examiner objects that the "clutch," the "pair of buffers," and the "urging assembly" of claims 8, 9, and 11, respectively, are not shown in the drawings. Applicants submit that the replacement sheets of drawings submitted herewith overcome the Examiner's objections.

Applicants herein amend FIG. 2 to show the claimed "clutch" and "urging assembly" elements. Specifically, in FIG. 2, the clutch is represented as reference character 29 and the urging assembly as reference character 31. Applicants submit that these elements are sufficiently described in the specification as filed such that they do not constitute new matter. Specifically, the clutch mechanism is described in the specification on page 7, line 6 to page 8, line 10; and the urging assembly is described in the specification as "rollers for urging" on page 10, lines 10 to 17. Additionally, Applicants herein amend the claims to remove any reference to a pair of buffers. Accordingly, in light of the amendments to the claims and figures, Applicants respectfully request the Examiner reconsider and remove the objection. A marked-up copy of the drawings showing the present amendments can be provided to the Examiner upon request.

Objections to Claim Form

The Examiner objected to the form of claims 14 and 16 as informal. Applicants herein amend each of claims 14 and 16 to recite “a first” rather than “first.” Applicants submit that these amendments overcome the Examiner’s objection.

Rejections Under 35 USC § 112

The Examiner rejected claims 9 and 11 under 35 USC § 112, first paragraph, as failing to enable the invention. Applicants herein cancel claim 9. Applicants submit that the remaining elements are described in sufficient detail in the specification to overcome the Examiner’s rejections. Specifically, the “urging assembly” recited in claim 11 is described in the specification as “rollers for urging” on page 10, lines 10 to 17.

Furthermore, the Examiner rejected claims 2-5 and 7-9 under 35 USC § 112, second paragraph, as indefinite. Applicants herein amend claim 2 to recite “a roll of material,” and claim 3 to recite “a structure” to provide proper antecedent basis. Applicants further replace “structure” with “vehicle” in claim 3, according to the Examiner’s suggestion. Finally, Applicants herein cancel claim 9, obviating the Examiner’s objection to that claim.

Rejections Under 35 USC § 102

The Examiner rejected claims 1, 2, 7, 10, and 13 through 16 under 35 U.S.C. § 102(b) as being anticipated by Gordon (U.S. Patent No. 2,598,992). Applicants submit that the present claims are novel over Gordon.

Gordon discloses a paper dispensing tool positioned independently of the structure to which the paper is to be applied via a trolley type locating assembly. Furthermore, the assembly is supported on its underside by a plate and feet positioned below the locating assembly; the feet rest on a surface below the dispensing tool. In contrast, the claims of the present invention, as amended, recite a tool that is suspended from an upper surface of a structure or vehicle to which the sheet material is applied.

The Examiner further rejected claims 13 through 16 under 35 U.S.C. § 102(b) as being anticipated by Yasnogorodskiy et al. (U.S. Patent No. 5,878,474) or Tetzner (U.S. Patent No. 4,369,614). Applicants submit that the present invention is novel over Yasnogorodskiy and Tetzner.

Yasnogorodskiy discloses a device in which a flexible sheet is unrolled in sections before the tool is clamped in place on the face of the frame structure to enable tension to be applied to the roll. Furthermore, U.S. Patent No. 5,381,324 to Hillstrom et al., referenced in the description of Yasnogorodskiy, provides further details of the attachment process, which requires successive portions of the sheet material to be clamped to the frame structure in a stepwise process. In contrast, the claims of the present application, as amended, require that the tool enables removable attachment of the sheet material during relative movement between the vehicle and the tool. Neither the Yasnogorodskiy nor the Hillstrom reference discloses or suggests simultaneous attachment and movement, as contemplated by the present claims.

Tetzner discloses another applicator tool located on a trolley locating assembly that operates by moving the trolley on the floor about the structure to be wrapped, for example, a pallet. Furthermore, the trolley assembly moves about independently of the structure to be wrapped. Similar to the Gordon reference, Tetzner's locating assembly is not adapted to be suspended from the structure.

Rejections Under 35 USC § 103(a)

The Examiner rejected claims 1, 2, 7, 8 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Tetzner; claims 1, 2, 7, 8, 10 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Yasnogorodskiy; and claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Yasnogorodskiy in view of Arnold (U.S. Patent No. 4,725,328). Applicants submit that the present invention is non-obvious in light of Tetzner, Yasnogorodskiy, and Yasnogorodskiy in view of Arnold.

Yasnogorodskiy teaches a stepwise translation process including unrolling a section of sign panel material from a starting position, stopping the entire tool assembly at a first position, clamping the sign material at the first position, and then tensioning the material between the start position and the first position. Yasnogorodskiy, in contrast to the present invention, does not contemplate attachment of the sheet material to the structure during movement of the tool. There is nothing to suggest that the features recited in the independent claims of the present invention could be incorporated in the system of Yasnogorodskiy.

Further, Tetzner and Gordon each teach the use of a trolley to move the applicator tool to or around the structure to which the sheet material is to be applied. Neither reference suggests

any need to suspend the tool from the structure in the manner of the amended independent claims.

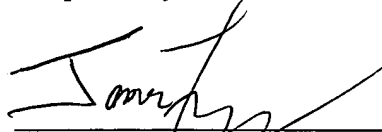
Furthermore, the references cited by the Examiner teach two competing and incompatible types of sheet applicator and could not be combined to teach the claimed invention. The Tetzner and Gordon references teach a trolley-based mobile dispenser, whereas the Yasnogorodskiy reference teaches a structure-mounted applicator for translation and tensioning. These two classes of applicators have inherently different operational requirements. Even if the person skilled in the art considered the Tetzner and Gordon references along with the Yasnogorodskiy reference, he or she would determine that the teachings are non-complementary and not suitable to use in combination.

Adapting either type of tool based on a combination of the references would compromise the functionality of the resulting tool. Specifically, as a result of this combination, the mobile dispenser would no longer be mobile. In contrast, the translation and tensioning tool of Yasnogorodskiy would no longer be able to perform the stepwise application process.

Conclusion

Applicants respectfully submit that the foregoing arguments overcome the Examiner's objections and rejections and that the pending claims are in condition for allowance. The Examiner is invited to contact Applicants' undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,



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